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Agenda item 71

GENERAL AND COMPLETE DISARMAMENT

Letter dated 17 October 1996 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to report to you the current status of Belgian legislation on anti-personnel mines.

The Acts of 9 March 1995 and 24 June 1996 have greatly modified Belgian legislation on the subject of anti-personnel mines. They have introduced a complete ban on the use of anti-personnel mines. The production, acquisition and stocking of such mines are also prohibited. The Act of 24 June 1996 requires the State or the public authorities to destroy existing stocks of anti-personnel mines and similar traps or devices within three years.

A limited number of anti-personnel mines will, however, be kept for research and training.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 71.

(Signed) Alex REYN
Ambassador
Permanent Representative of Belgium
to the United Nations

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GENERAL AND COMPLETE DISARMAMENT: NUCLEAR DISARMAMENT

Letter dated 22 October 1996 by the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

On behalf of Algeria, Bangladesh, Brazil, Cameroon, Colombia, Cuba, the Democratic People's Republic of Korea, Ethiopia, India, Indonesia, Iraq, the Islamic Republic of Iran, Kenya, Mexico, Mongolia, Morocco, Myanmar, Nigeria, Pakistan, Peru, Senegal, Sri Lanka, the Syrian Arab Republic, Venezuela, Viet Nam, Zaire, Zimbabwe and my own delegation, I have the honour to transmit herewith the document entitled "Proposal for a programme of action for the elimination of nuclear weapons", presented by the above-mentioned 28 delegations belonging to the Group of 21 in the Conference on Disarmament, as submitted to the Conference on 7 August 1966.

We shall be grateful for the circulation of the text of the present letter and its annex as an official document of the General Assembly, under agenda item 71 (i).

(Signed) Nabil ELARABY
Ambassador
Permanent Representative of Egypt
to the United Nations

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Annex

ALGERIA, BANGLADESH, BRAZIL, CAMEROON, COLOMBIA, CUBA, DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA, EGYPT, ETHIOPIA, INDIA, INDONESIA, IRAQ, ISLAMIC REPUBLIC OF IRAN, KENYA, MEXICO, MONGOLIA, MOROCCO, MYANMAR, NIGERIA, PAKISTAN, PERU, SENEGAL, SRI LANKA, SYRIAN ARAB REPUBLIC, VENEZUELA, VIET NAM, ZAIRE AND ZIMBABWE

Proposal for a programme of action for the elimination of nuclear weapons*

Introduction

Effective measures for nuclear disarmament and the elimination of the threat of nuclear war have been accorded the highest priority by the international community. The post Cold War era provides an unprecedented opportunity to establish a new system of international security based on the immutable principles of the United Nations Charter. Rationalisations for the continued possession of nuclear weapons need to be discarded. So long as the role of the nuclear weapons in the context of security is not delegitimised and existing nuclear doctrines not abandoned, there will always be a threat of a resumption of the nuclear arms race and the escalation of the nuclear threat.

It is therefore incumbent to ensure that existing favourable circumstances in the international relations are utilised in order to translate the objectives of eliminating all nuclear weapons from a rhetorical goal into a living reality. This requires active multilateral efforts to identify, negotiate and implement specific, step by step measures for the complete elimination of nuclear weapons.

The Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons dated 8 July 1996, has established that the unique characterstics of nuclear weapons, and in particular their destructive capacity, their capacity to cause untold human suffering, and their ability to cause damage to generations to come, render them potentially catastrophic. According to the Court, "The destructive power of nuclear weapons cannot be contained in either space or time. They have the potential to destroy all civilization and the entire ecosystem of the planet".

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* Originally issued as Conference on Disarmament document CD/1419 of 7 August 1996.

The International Court of Justice concluded that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflicts, and in particular the principles of and rules of humanitarian law and stated that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

As stated in its declaration of 28 March 1996 to the Plenary of the Conference on Disarmament, the Group of 21 has persistently pressed for commencement of negotiations in the Conference on Disarmament on nuclear disarmament, an objective which has been accorded the highest priority by the international community. It will be recalled that on 14 March 1996 the Group of 21 put a decision before the Conference for adoption (CD/1388), through which the Conference would establish an Ad-hoc Committee on nuclear disarmament "to commence negotiations on a phased programme for the eventual elimination of nuclear weapons within a specified framework of time", as requested by General Assembly Resolution 50/70 P.

This programme to be carried out by the Ad-hoc Committee could include the following steps and measures, as a basis for its work. The list of measures in each phase is indicative and not exhaustive, and the order in which they are mentioned does not necessarily reflect priority. Nevertheless, it is to be understood that in any programme for nuclear disarmament all measures and steps to be taken are inextricably bound to each other.

Programme of action

First Phase.- 1996 - 2000

A. Measures aimed at reducing the nuclear threat.

- Immediate and concurrent commencement of negotiations and early conclusion of:

  - a multilaterally negotiated legally binding instrument to assure non-nuclear weapon States against the use or threat of use of nuclear weapons;

  - a convention prohibiting the use or threat of use of nuclear weapons;

  - a treaty to eliminate nuclear weapons; and

  - a treaty banning the production of fissile material for nuclear weapons.

- End the qualitative improvement of nuclear weapons, by agreements on:

  - Cessation of all nuclear weapon tests and closure of all nuclear weapon test sites; and

  - Measures to prevent the use of new technologies for the upgrading of existing nuclear weapons systems, including the prohibition of nuclear weapon research and development.

- Full implementation of the Treaties of Tlatelolco, Rarotonga, Pelindaba, and South-East Asia and establishment of additional nuclear weapons free zones, on the basis of arrangements freely arrived at among the States of the region concerned.

- Declarations of the stocks of nuclear weapons and of nuclear weapons usable material.

B. Measures of nuclear disarmament.

- **Stand down nuclear-weapon systems from a state of operational readiness.**

- **Preservation of the ABM (Anti-ballistic missiles) Treaty.**

- **Moratorium and prohibition on testing of outer space weapons systems.**

- **Ratification and implementation of the START II Treaty.**

- **Commencement and conclusion of negotiations on further reductions of nuclear arsenals (START III).**

- **Placement under IAEA safeguards of nuclear fissile material transferred from military to peaceful uses by the nuclear weapons States.**

- **Further negotiations for nuclear disarmament by all nuclear weapon States, including the cessation of production of nuclear warheads.**

- **Recommendation to the General Assembly to declare the decade 2000-2010 as the "Decade for nuclear disarmament".**

Second Phase.- 2000 - 2010

Measures to reduce the nuclear arsenals and to promote confidence between States.

- Entry into force of the treaty to eliminate nuclear weapons and establishment of a single integrated multilateral comprehensive verification system to ensure compliance, including measures such as:

  - Separation of nuclear warheads from their delivery vehicles;

  - Placement of nuclear warheads in secure storage under international supervision leading to the removal of special nuclear materials from warheads; and

  - Transfer of nuclear materials including fissile materials and delivery vehicles to peaceful purposes.

- Preparation under international auspices of an inventory of nuclear arsenals, including fissile materials, nuclear warheads and their delivery vehicles.

- Progressive and balanced reduction of missiles intended for carrying nuclear warheads.

- Recommendation to the General Assembly to declare the decade 2010 - 2020 as the "Decade for the total elimination of nuclear weapons".

Third Phase.- 2010 - 2020

Consolidation of a Nuclear Weapon Free World.

- Adoption of principles and mechanisms for a global cooperative security system.

- Full implementation of the treaty to eliminate all nuclear weapons and of its verification regime through the completion of further measures such as:

  - Conversion of all facilities devoted to the production of nuclear weapons to peaceful purposes;

  - Application of safeguards on nuclear facilities on a universal basis; and

  - Elimination of all nuclear weapons.

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Agenda items 68, 69, 71 (g)
and (h) and 81

ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN SOUTH ASIA

CONCLUSION OF EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

REGIONAL DISARMAMENT

CONVENTIONAL ARMS CONTROL AT THE REGIONAL AND SUBREGIONAL LEVELS

REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

Letter dated 25 October 1996 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

In her address to the General Assembly on 3 October 1996, the Prime Minister of Pakistan, Mohtarma Benazir Bhutto, proposed the convening of a conference on peace and security, arms control and non-proliferation in South Asia.

Under the instructions of my Government, I am enclosing a memorandum which explains the proposal of the Prime Minister of Pakistan.

It is requested that the memorandum be circulated as a document of the First Committee, under agenda items 68, 69, 71 (g) and (h) and 81.

(Signed) Ahmad KAMAL
Ambassador
Permanent Representative of Pakistan
to the United Nations

ANNEX

Conference on peace and security, arms control and non-proliferation in South Asia

1. In her statement to the United Nations General Assembly on 3 October 1996, Mohtarma Benazir Bhutto, Prime Minister of Pakistan, proposed the convening of a multilateral conference on peace and security in South Asia.

2. There is considerable international concern about the dangers in South Asia of an armed conflict, escalation of a conventional arms race and nuclear weapons proliferation.

3. The underlying causes of tension in South Asia are well known: the Kashmir dispute and several bilateral problems between India and Pakistan. Pakistan desires a genuine dialogue with India which should, first and foremost, evolve a solution to the Kashmir dispute in accordance with the relevant resolutions of the United Nations Security Council.

4. Bilateral talks need to be complemented and facilitated by measures and steps at the regional, multilateral and international levels.

5. In response to proposals for bilateral and regional solutions to arms control and non-proliferation in South Asia, India has often called for measures that are trans-regional or global in scope, taking into account the interaction of external factors with the security environment in South Asia. In 1991, proposals were made by the United States of America and Pakistan, separately, for talks on security and non-proliferation in South Asia in which it was suggested that, besides India and Pakistan, the United States, the Russian Federation and China could also participate. India however expressed the desire for a wider scope and participation for such talks.

6. The proposal of the Prime Minister of Pakistan responds to this desire. It suggests that besides India and Pakistan, the five permanent members of the Security Council as well as other major countries which may be in a position to contribute to South Asian security - such as Germany and Japan - should also participate in the proposed conference. Other countries could be included through mutual agreement.

7. Pakistan believes that the following three dimensions of the security situation in South Asia are interrelated and deserve to be addressed in an integrated way:

(a) The underlying causes of conflict and tensions between India and Pakistan, including Kashmir;

(b) Conventional arms control and confidence-building measures;

(c) Measures for nuclear restraint and avoidance of nuclear weapons proliferation and deployment.

8. The multilateral forum could assist in easing tensions and disputes in South Asia by facilitating and complementing bilateral talks between Pakistan and India whenever they are resumed through mutual agreement.

9. The conference could promote conventional arms control and ease tensions, inter alia, through the following:

(a) A possible agreement between India and Pakistan on a mutually negotiated ratio of conventional forces;

(b) Measures to prevent a surprise attack by either country;

(c) Acceptance of a set of "principles" for future conventional arms production, acquisitions and deployments to ensure the maintenance of military equilibrium in South Asia.

10. In the past, India and Pakistan have succeeded in concluding several agreements for confidence-building measures including agreements not to attack each other's nuclear facilities, to provide advance notification of large troop movements and exercises and prevent air violations. The talks could secure the full implementation of these confidence-building measures and explore new measures to enhance mutual confidence.

11. The proposed talks could address the bilateral, regional and global dimensions of the nuclear danger confronting South Asia. Pakistan has advanced a series of proposals in the regional context:

(a) The creation of a nuclear-weapon-free zone in South Asia;

(b) Simultaneous signature of the Treaty on the Non-Proliferation of Nuclear Weapons by India and Pakistan;

(c) Simultaneous acceptance of full-scope safeguards;

(d) Mutual inspections of nuclear facilities;

(e) A bilateral nuclear-test ban.

12. These proposals remain relevant in the context of South Asia. At the same time, Pakistan would be prepared to consider any suggestions which India or other participants may put forward to arrest the nuclear threat in South Asia.

13. A particularly urgent concern in South Asia is the development and possible deployment of nuclear-capable ballistic missiles. This will exacerbate an already volatile security environment. Pakistan has proposed the creation of a "zero missile zone" in South Asia. This could be achieved through the implementation of progressive steps beginning with an understanding against the deployment of ballistic missiles and ending with an agreement to dismantle and place any existing missiles in secure and verifiable storage.

14. The multilateral talks could also seek to promote global initiatives to enhance disarmament, non-proliferation and security in South Asia. This could

include consideration of the political or other steps required to secure India's agreement to sign and ratify the recently concluded Comprehensive Test-Ban Treaty. They could also help in devising an agreed approach to the proposed global convention to ban the production of fissile materials.

15. Pakistan is open to other suggestions from India and other States regarding the substance and the process envisaged in the proposed multilateral talks.

16. As the Prime Minister of Pakistan has stated, we hope the international community will endorse and support this proposal, which can make a vital contribution to the preservation and promotion of international peace and security as well as conventional and nuclear arms restraint and disarmament at the regional and global levels.